

REMARKS***Examiner Interview***

Applicant thanks the examiner for the courtesy of the telephone interview on January 10, 2005 in which Applicant elected claims 10-18 without traverse. Accordingly, claims 19-27 have been removed without prejudice.

Rejection for Double Patenting

The present application has been rejected on a nonstatutory double patenting ground with respect to U.S. Patent No. 6,694,390 of Bogin, et al. The Applicants submit the present application and U.S. Patent No. 6,694,390 were both owned by Zohar Bogin, et al. at the time the present application was made. A timely terminal disclaimer in compliance with 37 C.F.R. 1.321(c) has been included to overcome the rejection of double patenting. Therefore, the Applicants respectfully request withdrawal of the rejection.

Rejection under 35 U.S.C. § 102(e)

Claim 10 was rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,021,483 of Ader, et al. (hereinafter "Ader"). Applicant respectfully disagrees with the rejection because Ader does not disclose each and every element of the invention as claimed in claim 10.

Ader describes a system that delays a transaction termination mechanism by using a timer which counts computer processing cycles (Ader, column 2, line 35-36). When

the time necessary to complete the transaction exceeds the specified latency period, Ader delays the transaction (Ader, column 2, line 66 to column 3, line 3). In order to affect the delay, the transaction is terminated with a “retry.” Specifically, “[i]f during the time the bridge is not able to assert the TRDY# on the primary bus ... the bridge issues a retry” in order to delay the transaction response (Ader, column 5, lines 12 – 25).

With regard to claim 10, Ader does not disclose “issuing a deferred transaction response to the requestor if the timer expires.” As discussed in the Applicants’ specification, a “retry” response when used to delay a transaction is different in purpose and effect than a “deferred transaction response.” The delayed transaction that uses a “retry”, results in the system committing resources for the eventual retry. A deferred response, as claimed in claim 10, does not require a reattempt, but rather informs the target device that the requested data will be provided later when the data is ready. Thus, Claim 10 is not anticipated by Ader.

Therefore, since Ader describes a system of delaying a transaction with a “retry” response, and the Applicants claim a system which “defers” the transaction response, Ader fails to anticipate each and every element as claimed by the Applicants in Claim 10.

Accordingly, Applicant submits that claim 10 is not anticipated by Ader under 35 U.S.C. § 102(a) and respectfully requests the withdrawal of the rejection. Since dependent claim 12 contains elements which further limit claim 10, claim 12 is also not anticipated by Ader for at least the same reasons. The applicants respectfully request withdrawal of the rejection of claim 12.

Furthermore, because independent claims 13 and 16 contain limitations similar to those in independent claim 10, claims 13 and 16 are also not anticipated by Ader under

35 U.S.C. § 102(a) for at least the reasons discussed above. Since dependent claims 15 and 18 contain elements that further limit independent claims 13 and 16 respectively, claims 15 and 18 are also not anticipated by Ader for at least the same reasons. The applicants, therefore, respectfully request withdrawal the rejections of dependent claims 13, 15, 16, and 18.


Rejection under 5 U.S.C. § 103(a)

Dependent claims 11, 14, and 17 depend on independent claims 10, 13, and 16 respectively, and add features that further limit the independent claims. Furthermore, the Applicants submit that U.S. Patent No. 5,493,566 of Ljungberg et al. (hereinafter “Ljungberg”) fails to disclose each and every element of the invention as claimed by the Applicants. Because Ader and Ljungberg, alone or in combination, fail to disclose each and every element of the invention as claimed by the Applicants, Ljungberg and Ader do not render claims 11, 14, and 17 obvious. Therefore, the dependent claims are not obvious under 35 U.S.C. § 103(a) for at least the reasons stated above with respect to independent claim 10, 13, and 16.

Applicants respectfully submit that the amendments and remarks have overcome the objections and rejections, and claims 10 – 18 are in condition for allowance. Please charge any shortages and credit any overcharges to our Deposit Account No. 02-2666.

Respectfully Submitted
BLAKELY, SOKOLOFF, TAYLOR, & ZAFMAN LLP

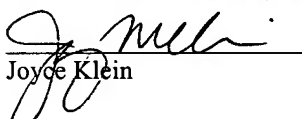
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Michael J. Mallie
Attorney for Applicant
Registration No. 36, 591

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720 – 8598

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Joyce Klein

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Date